

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Julian Phillips	Team: Squad #5	CCRB Case #: 202005210	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/03/2020 9:04 PM	Location of Incident: Cadman Plaza	Precinct: 84	18 Mo. SOL 12/3/2021	EO SOL 5/4/2022	
Date/Time CV Reported Wed, 07/01/2020 11:21 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 07/01/2020 11:21 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Matthew Ansbro	13974	954490	TB VTF
2. Officers			
3. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Joseph McDonald	03493	964642	060 PCT
2. CCA Jeffrey Maddrey	00000	899501	C A B

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers struck Individuals with batons.	
B.POM Matthew Ansbro	Force: Police Officer Matthew Ansbro struck an individual with a baton.	
C.POM Matthew Ansbro	Force: Police Officer Matthew Ansbro used physical force against an individual.	
D. Officers	Force: Officers struck an individual with batons.	
E. Officers	Force: Officers used physical force against an individual.	
F. An officer	Force: An officer struck § 87(2)(b) with a baton.	
G. An officer	Force: An officer struck § 87(2)(b) with a baton.	

Case Summary

On July 17, 2020, § 87(2)(b) filed this complaint on behalf of herself, § 87(2)(b) and multiple unidentified individuals while providing testimony for CCRB case 202003901.

On June 3, 2020, at approximately 9:04 p.m., § 87(2)(b) and § 87(2)(b) were at a large protest gathering at Cadman Plaza in Brooklyn. They allegedly witnessed multiple officers use physical force against civilians whom they could not identify or describe: an officer shoved individuals with a baton, Police Officer Matthew Ansbro, of the Transit Bureau Citywide Vandals Task Force, struck § 87(2)(b) with either his hand or a baton, and multiple officers struck individuals with batons or their hands (**Allegations A-E: Force,** § 87(2)(g)). An officer allegedly struck § 87(2)(b) with a baton (**Allegation F: Force,** § 87(2)(g)). An officer allegedly struck § 87(2)(b) with a baton (**Allegation G: Force,** § 87(2)(g)).

The CCRB obtained a large quantity of video footage capturing the broader incident at Cadman Plaza, including two clips of cellphone footage recorded by § 87(2)(b) documenting the allegations in this case (**Board Review 01-02**). All references to video evidence below refer to the time-stamp in the video player, and not to any on-screen clock embedded in the footage itself.

Findings and Recommendations

Allegation (A) Force: Officers struck individuals with batons.

Allegation (B) Force: Police Officer Matthew Ansbro struck § 87(2)(b) with a baton.

Allegation (C) Force: Police Officer Matthew Ansbro used physical force against

§ 87(2)(b)

Allegation (D) Force: Officers struck § 87(2)(b) with batons.

Allegation (E) Force: Officers used physical force against § 87(2)(b)

§ 87(2)(b) testified (**Board Review 03**) that she caught glimpses of officers using physical force against various civilians, but she could not identify any of these officers or civilians or provide details about the physical force that she witnessed. § 87(2)(b) specifically recalled a male officer wearing a white uniform using a baton to shove several individuals, but she was standing a substantial distance away and could not see whether these individuals stumbled or fell as a result of the shoves. § 87(2)(b) further recalled officers striking individuals with batons, causing these individuals to fall to the ground, but she could not describe the officers or the civilians involved. Finally, § 87(2)(b) recalled multiple officers, one of whom she was able to describe and who was identified by the investigation as PO Ansbro, striking § 87(2)(b) with either their hands or their batons. § 87(2)(b) specifically testified that, although she knew that PO Ansbro was involved in the altercation, she did not know what physical force he used.

PO Ansbro was interviewed by the CCRB regarding an unrelated interaction at Cadman Plaza for CCRB case 202004586. In this interview, PO Ansbro denied using his baton to strike any civilian at Cadman Plaza on the night of the incident.

§ 87(2)(b) testified (**Board Review 04**) that she observed officers shove individuals with batons, but she could not describe either the officers or the civilians involved.

§ 87(2)(b) provided the CCRB with a short video clip (**Board Review 01**) capturing the first use of force that she witnessed. At 00:35 in the clip, a white-shirted male officer in the distance is visible thrusting his baton forwards several times in the direction of a group of civilians, but it is not visible whether the baton makes contact. The civilians are not clearly visible, and they cannot be identified based on the clip.

Neither § 87(2)(b) nor § 87(2)(b) were able to provide testimony about the specifics of the force that they reported, and they were not able to provide any testimony about the victims' actions prior to or during these uses of force. Therefore, the investigation determined that these allegations could not be investigated absent testimony from the victims or witness statements and video footage capturing the incidents reported by § 87(2)(b) and § 87(2)(b). However, neither § 87(2)(b) nor § 87(2)(b) was able to describe the victims or provide video footage that captured identifying details of the victims that could be used to identify them.

Numerous CCRB complaints were filed regarding the broader protest incident at Cadman Plaza, and the CCRB obtained dozens of video clips and witness testimonies about the incident. The investigation reviewed all video and interview summaries contained in CCRB cases 202004990, 202004772, 202004702, 202004586, 202004395, 202004165, 202004110, 202004003, 202003966, 202003932, 202003921, 202003911, and 202003873; however, none of these cases contained any identifiable reference to the physical force witnessed by § 87(2)(b) and § 87(2)(b).

Seeing as § 87(2)(b) and § 87(2)(b) were unable to provide sufficient testimony for these allegations to be investigated, and the investigation was unable to identify the victims of these allegations, § 87(2)(g).

Allegation (F) Force: An officer struck § 87(2)(b) with a baton.

Allegation (G) Force: An officer struck § 87(2)(b) with a baton.

Known Facts and General Descriptions

§ 87(2)(b) testified that she arrived at Cadman Plaza as part of a march of approximately 200-300 demonstrators. § 87(2)(b) described herself as a woman with long curly brown hair, wearing a light blue shirt and black shorts, and carrying a small blue backpack. The protestors gathered in the streets, sidewalks, and parks at Cadman Plaza. After approximately 30 to 45 minutes, officers approached the demonstrators and began shoving and striking them, prompting § 87(2)(b) and other demonstrators to move south. As § 87(2)(b) was walking south, on the plaza in the vicinity of Brooklyn Borough Hall, officers called out that the civilians should move faster, and § 87(2)(b) verbally replied that they could not move any faster due to the crowd. An officer struck the back of § 87(2)(b)'s leg with a baton, causing her to fall to the ground. § 87(2)(b) did not see this officer and could not describe him or her.

§ 87(2)(b) testified that, while the officers were shoving and striking demonstrators, prompting them to move south, an officer, whom § 87(2)(b) could not describe, shoved a baton against her arm, causing bruising to the arm and causing § 87(2)(b) to fall to the ground. § 87(2)(b) further testified that she witnessed an officer, whom she could not describe, shove § 87(2)(b) with a baton, causing § 87(2)(b) to fall to the ground.

BWC and Other Video

§ 87(2)(b) provided a cellphone video that she recorded as she and § 87(2)(b) were walking in the crowd of demonstrators towards Borough Hall (**Board Review 02**). The clip captures § 87(2)(b) falling to the ground, but because § 87(2)(b) is pointing the camera in front of her, the footage does not capture an officer striking § 87(2)(b) from behind. The clip does not capture an officer shoving § 87(2)(b) with a baton.

The investigation reviewed numerous cell phone, BWC, and CCTV camera video clips from the larger protest incident in Cadman Plaza, uploaded and transcribed in the following CCRB cases: 202004586, 202003873, 202004702, 202004395, 202003921, 202003966, 202004165, 202003911, 202004003, 202004110, 202003932, 202003901 (**Board Review 15**). None of these clips depicts

any physical force against § 87(2)(b) or § 87(2)(b). In general, the video clips show a large crowd of protestors and police officers on Cadman Plaza and marching south towards Borough Hall, and officers pushing, shoving, and striking civilians with batons. The quality of most of these videos was often poor due to the rain, the rapid movements, and the chaotic nature of the protest. (Most of the force allegations in these videos are being investigated under multiple CCRB complaints). The most relevant footage is BWC footage recorded by PO McDonald (**Board Review 05**), which captures the group of demonstrators that includes § 87(2)(b) and § 87(2)(b) moving south towards Borough Hall. The quality of the footage is poor due to PO McDonald's movements, and thus none of the officers or protestors are clearly visible in the footage. § 87(2)(b) is audible at various points in the footage, but the footage does not capture the physical force used against her or § 87(2)(b).

NYPD Documents Reviewed

Neither § 87(2)(b) nor § 87(2)(b) was able to describe the subject officers in this case, with the exception of PO Ansbro (who, as discussed above, they could not ascribe a specific use of force to). Therefore, roll calls, detail rosters, and MOS photos could not assist in the identification of subject officers in this case. There were also no TRI reports, AIDED reports, or Stop/Question/Frisk reports prepared in relation to the protest. Given this, and that none of the video evidence depicted any of the allegations in this case, and coupled with the fact that § 87(2)(b) and § 87(2)(b) provided no descriptions of the subject officers, the investigation was unable to use NYPD documents to identify any subject officers.

Concurrent Investigations

Multiple CCRB investigations were generated related to incidents in or near the area related to the protest, and § 87(2)(b) and § 87(2)(b) provided written statements to the New York State Attorney General (AG) regarding the allegations in this case (**Board Review 06-07**). It is unclear if the AG's office or any known outside agency investigated the allegations detailed in this complaint.

Ranking Officers

From the above-mentioned pool of officers, Chief Jeffrey Maddrey appears to be the highest-ranking officer who was present at the location. At the time, Chief Maddrey was the Commanding Officer of Patrol Borough Brooklyn North.

Officers Interviewed

Chief Maddrey was interviewed but had no recollection of this particular incident involving § 87(2)(b) and § 87(2)(b) and he denied participating in or witnessing the allegations in the case (**Board Review 08**). Chief Maddrey acknowledged that he was the overall supervisor for all the PBBN field forces on scene, but he said there were other "top executives" on scene. He did not recall which other supervisors were on scene, nor did he recall how many PBBN field forces were mobilized that day. Chief Maddrey did not recall giving any instructions to any of the supervisors or officers on scene, but said it was possible he might have informed some of the supervisors to order their officers to form lines on sections of multiple streets where officers did not want protestors to converge. He also said he might have also informed the supervisors of the PBBN field forces to "use their judgement" and discretion in terms of allowing exceptions to the curfew order, and not to arrest protestors solely for curfew violations. Chief Maddrey did not instruct officers to use force including baton strikes, kicks, or punches against any protestor, nor did he witness any other supervisor on scene give such an instruction.

Allegation Recitation and Disposition

Allegation (F) Force: An officer struck § 87(2)(b) with a baton.

Allegation (G) Force: An officer struck § 87(2)(b) with a baton.

Absent detailed descriptions of the subject officers, and absent additional video or documentary

evidence, the investigation was unable to identify the officers who used force against § 87(2)(b) and § 87(2)(b) § 87(2)(g) [REDACTED]

Civilian and Officer CCRB Histories

- § 87(2)(b) [REDACTED]
[REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- § 87(2)(b) [REDACTED]
[REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- PO Ansbro has been a member of the NYPD for seven years and has been a subject in five additional cases and six allegations, none of which was substantiated.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- As of October 13, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this complaint (**Board Review 11**).
- According to the Office of Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of convictions in NYC (**Board Review 13**).
- According to the Office of Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of convictions in NYC (**Board Review 14**).

Squad No.: 5

Investigator: Julian Phillips SI Julian Phillips July 26, 2021
Signature Print Title & Name Date

Squad Leader: Daniel Giansante IM Daniel Giansante July 26, 2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date